

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

AUDRA MCCOWAN, et al.,

Plaintiffs,

v.

CITY OF PHILADELPHIA,

Defendant.

CIVIL ACTION

NO. 19-3326-KSM

ORDER

AND NOW, this 6th day of July, 2022, upon consideration of Plaintiffs' Motion for an Award of Reasonable Attorneys' Fees and Costs (Doc. No. 237) and Plaintiffs' June 22, 2022 Letter asking that the motion be granted as uncontested (Doc. No. 241), and finding that Defendant the City of Philadelphia failed to file a response brief within 14 days,¹ it is **ORDERED** that the motion is **GRANTED** as uncontested. Defendant shall pay Derek Smith Law Group, PLLC attorneys' fees in the amount of \$771,880 and costs in the amount of \$42,903.50 by **August 6, 2022.**

IT IS SO ORDERED.

/s/*Karen Spencer Marston*

KAREN SPENCER MARSTON, J.

¹ As this Court has repeatedly explained during the course of this litigation, Local Rule 7.1(c) requires "any party opposing [a] motion" to "serve a brief in opposition together with such answer or other response that may be appropriate, within fourteen (14) days after service of the motion and supporting brief." E.D. Pa. Local R. 7.1(c). "In the absence of a timely response, the motion may be granted as uncontested," so long as the motion is not one for summary judgment under Federal Rule of Civil Procedure 56. *Id.* Plaintiffs filed their motion for fees and costs on June 7, 2022 (see Doc. No. 237), which means the City's opposition brief, if any, was due June 21, 2022. To date, the City has not filed a response brief, requested an extension of the response deadline, or otherwise acknowledged Plaintiffs' motion. Accordingly, Plaintiffs' motion is granted as uncontested.